

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PETER STROJNIK,

Plaintiff,

v.

ALBUQUERQUE BOCA HOTEL, LP
D/B/A CROWNE PLAZA
ALBUQUERQUE,


Defendant.

No. 1:20-cv-00843-WJ-GBW
No. 1:20-cv-00875-WJ-GBW
No. 1:20-cv-00938-WJ-GBW
No. 1:20-cv-00940-WJ-GBW
No. 1:20-cv-00998-WJ-GBW
No. 1:20-cv-01034-WJ-GBW
No. 1:20-cv-01325-WJ-GBW
Consolidated

MEMORANDUM OPINION AND ORDER
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
WITHOUT PREJUDICE

THIS MATTER comes before the Court on Plaintiff's Motion for Partial Summary Judgment, Doc. 15, filed September 10, 2020. Plaintiff filed his Motion for Partial Summary Judgment against Defendant Albuquerque Boca Hotel, LP, prior to the commencement of discovery and prior to the consolidation of Plaintiff's other cases with this case. Plaintiff and Defendant Albuquerque Boca Hotel, LP, stipulated to an indefinite extension of time for Defendant Albuquerque Boca Hotel, LP, to file a response due to the "unforeseen delay in the parties' ability to conduct discovery" due to the consolidation of this case with the other cases. *See* Doc. 56, filed November 27, 2020. United States Magistrate Judge Gregory B. Wormuth has set a scheduling conference for April 22, 2021, to discuss discovery needs and scheduling. *See* Doc. 80, filed February 23, 2021. Because discovery is only now beginning, the Court denies Plaintiff's Motion for Partial Summary Judgment without prejudice. Plaintiff may file another motion for summary judgment after both parties have had an opportunity to take discovery.

IT IS ORDERED that Plaintiff's Motion for Partial Summary Judgment, Doc. 15, filed September 10, 2020, is **DENIED without prejudice**.



WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE